

*United States Attorney  
Southern District of New York*

March 8, 2023

**BY ECF**

The Honorable Lorna G. Schofield  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: United States v. Whitehead, S1 22 Cr. 692 (LGS)**

Dear Judge Schofield:

The Government respectfully submits this letter to advise the Court that on March 7, 2023, a grand jury in this District returned the above-referenced superseding indictment. The Government has conferred with Dawn Florio, Esq., counsel to the defendant, and the parties jointly request that the Court schedule the defendant's arraignment on the superseding indictment for the next court conference, currently scheduled for April 11, 2023. The parties further jointly request that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), in the interest of justice because this continuance will permit the Government time to produce any discovery with respect to the new charge in the superseding indictment and the defendant time to review that discovery. Furthermore, it is anticipated that under the existing schedule, the defendant will file pretrial motions on March 15, 2023, which will necessarily result in exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(D).

By **March 13, 2023**, the parties shall confer and file a joint letter proposing a schedule for any Rule 16 discovery and any motions related to the new charge in the superseding indictment. The current schedule as previously ordered by this Court shall remain in effect. Defendant's arraignment on the superseding indictment is referred to the magistrate judge on duty. The parties shall promptly schedule a hearing date. The Clerk of the Court is directed to terminate the letter motion at docket number 64.


Dated: March 9, 2023  
New York, New York

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

By: \_\_\_\_\_ /s/

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LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE